

EXECUTIVE SUMMARY - ENFORCEMENT MATTER
DOCKET NO.: 2006-1371-AIR-E TCEQ ID: RN100814342 CASE NO.: 30876
RESPONDENT NAME: YA RAZZAK, INC. DBA FAST TRAK

Page 1 of 2

ORDER TYPE:		
<input checked="" type="checkbox"/> 1660 AGREED ORDER	<input type="checkbox"/> FINDINGS AGREED ORDER	<input type="checkbox"/> FINDINGS ORDER FOLLOWING SOAH HEARING
<input type="checkbox"/> FINDINGS DEFAULT ORDER	<input type="checkbox"/> SHUTDOWN ORDER	<input type="checkbox"/> IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
<input type="checkbox"/> AMENDED ORDER	<input type="checkbox"/> EMERGENCY ORDER	
CASE TYPE:		
<input checked="" type="checkbox"/> AIR	<input type="checkbox"/> MULTI-MEDIA (check all that apply)	<input type="checkbox"/> INDUSTRIAL AND HAZARDOUS WASTE
<input type="checkbox"/> PUBLIC WATER SUPPLY	<input type="checkbox"/> PETROLEUM STORAGE TANKS	<input type="checkbox"/> OCCUPATIONAL CERTIFICATION
<input type="checkbox"/> WATER QUALITY	<input type="checkbox"/> SEWAGE SLUDGE	<input type="checkbox"/> UNDERGROUND INJECTION CONTROL
<input type="checkbox"/> MUNICIPAL SOLID WASTE	<input type="checkbox"/> RADIOACTIVE WASTE	<input type="checkbox"/> DRY CLEANER REGISTRATION
<p>SITE WHERE VIOLATION(S) OCCURRED: 8209 North Loop Drive, El Paso, El Paso County</p> <p>TYPE OF OPERATION: Convenience store with retail sales of gasoline.</p> <p>SMALL BUSINESS: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>OTHER SIGNIFICANT MATTERS: There are no complaints. There is no record of additional pending enforcement actions regarding this facility location.</p> <p>INTERESTED PARTIES: No one other than the ED and the Respondent has expressed an interest in this matter.</p> <p>COMMENTS RECEIVED: The <i>Texas Register</i> comment period expired on May 26, 2008. No comments were received.</p> <p>CONTACTS AND MAILING LIST: TCEQ Attorney: Ms. Anna M. Cox Litigation Division, MC 175, (512) 239-0974 Ms. Jennifer Cook, Litigation Division, MC 175, (512) 239-1873 TCEQ Enforcement Coordinator: Ms. Audra Ruble, Air Enforcement Section, MC R-14 (361) 825-3126 TCEQ Regional Contact: Mr. Terry McMillan, El Paso Regional Office, MC R-6, (915) 834-4953 Respondent: Mr. Mohammed Panjwani, President, Ya Razzak Inc., 8209 North Loop Drive, El Paso, Texas 79907 Respondent's Attorney: Not represented by counsel on this enforcement matter.</p>		

VIOLATION SUMMARY CHART:

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p>Type of Investigation:</p> <p><input type="checkbox"/> Complaint <input checked="" type="checkbox"/> Routine <input type="checkbox"/> Enforcement Follow-up <input type="checkbox"/> Records Review</p> <p>Date of Complaints Relating to this Case: None</p> <p>Date of Investigation Relating to this Case: June 5, 2006</p> <p>Date of NOE Relating to this Case: July 31, 2006</p> <p>Background Facts: The EDPRP was filed on September 28, 2007. The Respondent promptly paid the entire penalty without signing an Agreed Order. The Litigation Division attorney worked with the Respondent to obtain an Agreed Order, which was signed on March 25, 2008.</p> <p>AIR: Failed to comply with the 7.0 pounds per square inch absolute maximum Reid Vapor Pressure requirement for gasoline transferred during control period of June 1, 2006 through September 16, 2006 in El Paso County [30 TEX. ADMIN. CODE § 115.252(2) and TEX HEALTH & SAFETY CODE § 382.085(b)].</p>	<p>Total Assessed: \$1,200</p> <p>Total Deferred: \$0</p> <p><input type="checkbox"/> Expedited Settlement <input type="checkbox"/> Financial Inability to Pay</p> <p>Total Paid to General Revenue: \$1,200</p> <p>The Respondent has paid the administrative penalty in full.</p> <p>Site Compliance History Classification: <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Person Compliance History Classification: <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Major Source: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Applicable Penalty Policy: September 2002</p>	<p>Technical Requirements:</p> <p>The Respondent shall undertake the following technical requirements:</p> <ol style="list-style-type: none">1. Within 30 days, establish and implement a process which will ensure the RVP for gasoline dispensed between June 1st and September 16th of each year shall not exceed 7.0 psia at the Station.2. Within 45 days, submit notarized written certification of compliance with the above Ordering provision.



Policy Revision 2 (September 2002)

Penalty Calculation Worksheet (PCW)

PCW/Revision April 25, 2006

DATES	Assigned	31-Jul-2006	Screening	11-Aug-2006	EPA Due	
	PCW	30-Nov-2006				

RESPONDENT/FACILITY INFORMATION

Respondent	Ya Razzak, Inc. dba Fast Trak		
Reg. Ent. Ref. No.	RN100814342		
Facility/Site Region	6-El Paso	Major/Minor Source	Minor Source

CASE INFORMATION

Enf./Case ID No.	30876	No. of Violations	1
Docket No.	2006-1371-AIR-E	Order Type	1660
Media Program(s)	Air Quality	Enf. Coordinator	Sherronda Martin
Multi-Media		EC's Team	Enforcement Team 5
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$10,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$1,000
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ADJUSTMENTS (+/-) TO SUBTOTAL 1

Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

Compliance History	20% Enhancement	Subtotals 2, 3, & 7	\$200
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Notes	Compliance history enhancement due to one 1660 Agreed Order.
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Culpability	No	0% Enhancement	Subtotal 4	\$0
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Notes	Respondent does not meet the culpability criteria.
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Good Faith Effort to Comply	0% Reduction	Subtotal 5	\$0
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	Before NOV	NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	X	(mark with a small x)

Notes	Respondent does not meet the good faith effort criteria.
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Economic Benefit	0% Enhancement*	Subtotal 6	\$0
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Total EB Amounts	\$129	*Capped at the Total EB \$ Amount
Approx. Cost of Compliance	\$800	

SUM OF SUBTOTALS 1-7	Final Subtotal	\$1,200
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OTHER FACTORS AS JUSTICE MAY REQUIRE	Adjustment	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage. (Enter number only; e.g. -30 for -30%.)

Notes	
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Final Penalty Amount	\$1,200
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$1,200
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DEFERRAL	Reduction	Adjustment	\$0
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Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes	Deferral offer withdrawn for failure to settle within 60 days.
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PAYABLE PENALTY	\$1,200
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Screening Date 11-Aug-2006

Docket No. 2006-1371-AIR-E

PCW

Respondent Ya Razzak, Inc. dba Fast Trak

Policy Revision 2 (September 2002)

Case ID No. 30876

PCW Revision April 25, 2006

Reg. Ent. Reference No. RN100814342

Media [Statute] Air Quality

Enf. Coordinator Sherronda Martin

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written NOV's with same or similar violations as those in the current enforcement action (<i>number of NOV's meeting criteria</i>)	0	0%
	Other written NOV's	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	1	20%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgments or consent decrees meeting criteria</i>)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which notices were</i>	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	0	0%
Please Enter Yes or No			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 20%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

N/A

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

Compliance history enhancement due to one 1660 Agreed Order.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 20%

Screening Date 11-Aug-2006

Docket No. 2006-1371-AIR-E

PCW

Respondent Ya Razzak, Inc. dba Fast Trak

Policy Revision 2 (September 2002)

Case ID No. 30876

PCW Revision April 25, 2006

Reg. Ent. Reference No. RN100814342

Media [Statute] Air Quality

Enf. Coordinator Sherronda Martin

Violation Number 1

Primary Rule Cite(s) 30 Tex. Admin. Code § 115.252(2)

Secondary Rule Cite(s) Tex. Health & Safety Code § 382.085(b)

Violation Description

Failure to comply with the 7.0 pounds per square inch absolute (psia) maximum Reid Vapor Pressure ("RVP") requirement for gasoline transferred during the control period of June 1, 2006 through September 16, 2006 in El Paso County. Specifically, gasoline samples taken from the unleaded gasoline pump on June 5, 2006 had an RVP exceeding the maximum 7.0 psia.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

		Harm		
OR	Release	Major	Moderate	Minor
	Actual			X
	Potential			

Percent 10%

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor

Percent

Matrix Notes

Human health or the environment was exposed to insignificant amounts of pollutants which did not exceed levels that are protective of human health or the environment.

Adjustment -\$9,000

Base Penalty Subtotal \$1,000

Violation Events

Number of Violation Events 1

67 Number of violation days

mark only one use a small x	daily	
	monthly	
	quarterly	
	semiannual	
	annual	
	single event	X

Violation Base Penalty \$1,000

One single event is recommended.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$129

Violation Final Penalty Total \$1,200

This violation Final Assessed Penalty (adjusted for limits) \$1,200

Economic Benefit Worksheet

Respondent Ya Razzak, Inc. dba Fast Trak

Case ID No. 30876

Reg. Ent. Reference No. RN100814342

Media [Statute] Air Quality

Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost No commas or \$	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling	\$700	05-Jun-2006	07-Feb-2007	0.7	\$24	n/a	\$24
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost of implementing procedures to ensure the required Reid Vapor Pressure is maintained. Date required is the investigation date and the final date is estimated date of compliance.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)	\$100	05-Jun-2006	16-Sep-2006	1.0	\$5	\$100	\$105

Notes for AVOIDED costs

Costs avoided by dispensing and utilizing gasoline having a RVP greater than 7.0 psia. The Date Required is the date of the inspection. The Final Date is the last day of the control period with RVP requirements.

Approx. Cost of Compliance **\$800****TOTAL** **\$129**

Compliance History

Customer/Respondent/Owner-Operator: CN603067356 YA RAZZAK, INC. Classification: Rating:
Regulated Entity: RN100814342 FAST TRAK Classification: Site Rating: 7.06
ID Number(s): AIR NEW SOURCE PERMITS ACCOUNT NUMBER EE1961R
PETROLEUM STORAGE TANK REGISTRATION 39616
Location: 8209 N LOOP DR, EL PASO, TX, 79907 Rating Date: 9/1/2005 Repeat Violator: NO
TCEQ Region: REGION 06 - EL PASO
Date Compliance History Prepared: August 24, 2006
Agency Decision Requiring Compliance History: Enforcement
Compliance Period: August 24, 2001 to August 24, 2006
TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History
Name: Sherronda Martin Phone: 713-767-3680

Site Compliance History Components

1. Has the site been in existence and/or operation for the full five year compliance period? Yes
2. Has there been a (known) change in ownership of the site during the compliance period? Yes
3. If Yes, who is the current owner? YA RAZZAK INC
4. If Yes, who was/were the prior owner(s)? Serrano Enterprises, Inc.
FFP Operating Partners, L.P.
5. When did the change(s) in ownership occur? 12/22/2004
07/27/2006

Components (Multimedia) for the Site :

- A. Final Enforcement Orders, court judgements, and consent decrees of the state of Texas and the federal government.

Effective Date: 09/30/2005 ADMINORDER 2005-0175-AIR-E
Classification: Moderate

Citation: 30 TAC Chapter 114, SubChapter D 114.100(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to comply with the minimum 2.7% by weight oxygenated fuel requirement.

- B. Any criminal convictions of the state of Texas and the federal government.

N/A

- C. Chronic excessive emissions events.

N/A

- D. The approval dates of investigations. (CCEDS Inv. Track. No.)

1	12/16/2002	(18593)
2	05/28/2004	(268506)
3	08/27/2003	(150656)
4	12/06/2004	(341451)
5	03/19/2002	(75432)
6	08/27/2003	(150753)
7	11/12/2001	(75431)
8	09/12/2001	(75430)
9	09/30/2003	(144091)
10	07/26/2004	(278416)
11	08/15/2002	(7959)
12	07/27/2006	(487296)
13	03/21/2006	(458046)
14	11/07/2002	(8690)

- E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)

N/A

F. Environmental audits.

N/A

G. Type of environmental management systems (EMSs).

N/A

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

N/A

J. Early compliance.

N/A

Sites Outside of Texas

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
YA RAZZAK, INC.
DBA FAST TRAK; RN100814342**

§
§
§
§
§

**BEFORE THE

TEXAS COMMISSION ON

ENVIRONMENTAL QUALITY**

AGREED ORDER DOCKET NO. 2006-1371-AIR-E

I. JURISDICTION AND STIPULATIONS

At its _____ agenda, the Texas Commission on Environmental Quality ("Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Ya Razzak, Inc. dba Fast Trak ("Ya Razzak") under the authority of TEX. WATER CODE ch. 7 and TEX. HEALTH & SAFETY CODE ch. 382. The Executive Director of the TCEQ, represented by the Litigation Division, and Ya Razzak appear before the Commission and together stipulate that:

1. Ya Razzak owns and operates a convenience store with retail sales of gasoline located at 8209 North Loop Drive, El Paso, El Paso County, Texas (the "Station"). The Station consists of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
2. This Agreed Order is entered into pursuant to TEX. WATER CODE §§ 7.051 and 7.070. The Commission has jurisdiction of this matter pursuant to TEX. WATER CODE § 5.013 because it alleges violations of TEX. HEALTH & SAFETY CODE ch. 382 and TCEQ rules.
3. The Commission and Ya Razzak agree that the Commission has jurisdiction to enter this Agreed Order, and that Ya Razzak is subject to the Commission's jurisdiction.
4. Ya Razzak received notice of the violations alleged in Section II ("Allegations") on or about August 5, 2006.
5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by Ya Razzak of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
6. An administrative penalty in the amount of one thousand two hundred dollars (\$1,200.00) is assessed by the Commission in settlement of the violations alleged in Section II

("Allegations"). Ya Razzak has paid one thousand two hundred dollars (\$1,200.00) of the administrative penalty.

7. Any notice and procedures which might otherwise be authorized or required in this action are waived in the interest of a more timely resolution of the matter.
8. The Executive Director of the TCEQ and Ya Razzak have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
9. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that Ya Razzak has not complied with one or more of the terms or conditions in this Agreed Order.
10. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
11. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

II. ALLEGATIONS

Ya Razzak is alleged to have violated 30 TEX. ADMIN. CODE § 115.252(2) and TEX. HEALTH & SAFETY CODE § 382.085(b) by failing to comply with the 7.0 pounds per square inch absolute ("psia") maximum Reid Vapor Pressure ("RVP") requirement for gasoline transferred during the control period of June 1, 2006 through September 16, 2006 in El Paso County. Specifically, gasoline samples taken from the unleaded gasoline pump on June 5, 2006 had an RVP exceeding the maximum 7.0 psia.

III. DENIALS

Ya Razzak generally denies each allegation in Section II ("Allegations").

IV. ORDER

1. It is, therefore, ordered by the TCEQ that Ya Razzak pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and Ya Razzak's compliance with all the terms and conditions set forth in this Agreed Order resolve

only the allegations in Section II. The Commission shall not be constrained in any manner from considering requiring corrective action or penalties for violations which are not raised here. Administrative penalty payments shall be made payable to "Texas Commission on Environmental Quality" and shall be sent with the notation "Re: Ya Razzak, Inc. dba Fast Stop, Docket No. 2006-1371-AIR-E," to:

Financial Administration Division, Revenues Section
Attention: Cashier's Office, MC 214
Texas Commission on Environmental Quality
P.O. Box 13088
Austin, Texas 78711-3088

2. Ya Razzak shall undertake the following technical requirements:

- a. Within 30 days after the effective date of the Commission Order, Ya Razzak shall establish and implement a process which will ensure the RVP for gasoline dispensed between June 1st and September 16th of each year shall not exceed 7.0 psia at the Station, and
- b. Within 45 days after the effective date of the Commission Order, Ya Razzak shall submit written certification of compliance with Ordering Provision 2.a. and include detailed documentation of compliance. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

The certification shall be submitted to:

Order Compliance Team
Enforcement Division, MC 149A
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

and

Air Section Manager
Texas Commission on Environmental Quality
El Paso Regional Office
401 E. Franklin Ave, Suite 560
El Paso, Texas 79901-1212

3. The provisions of this Agreed Order shall apply to and be binding upon Ya Razzak. Ya Razzak is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Station's operations referenced in this Agreed Order.
4. If Ya Razzak fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, Ya Razzak's failure to comply is not a violation of this Agreed Order. Ya Razzak shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. Ya Razzak shall notify the Executive Director within seven days after Ya Razzak becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
5. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by Ya Razzak shall be made in writing to the Executive Director. Extensions are not effective until Ya Razzak receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
6. This Agreed Order, issued by the Commission, shall not be admissible against Ya Razzak in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
7. This agreement may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreement may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes.
8. Under 30 TEX. ADMIN. CODE § 70.10(b) and TEX. GOV'T CODE § 2001.142, the effective date of this Agreed Order is the date of hand-delivery of the Order to Ya Razzak, or three days after the date on which the Commission mails notice of the Order to Ya Razzak, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

Ya Razzak, Inc. dba Fast Trak
DOCKET NO. 2006-1371-AIR-E
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SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission



For the Executive Director

5/19/08

Date

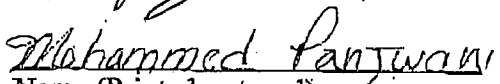
I, the undersigned, have read and understand the attached Agreed Order. I represent that I am authorized to agree to the attached Agreed Order on behalf of the entity, if any, indicated below my signature, and I do agree to the terms and conditions specified therein. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I also understand that my failure to comply with the Ordering Provisions, if any, in this order and/or my failure to timely pay the penalty amount, may result in:

- A negative impact on my compliance history;
- Greater scrutiny of any permit applications submitted by me;
- Referral of this case to the Attorney General's office for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions against me;
- Automatic referral to the Attorney General's Office of any future enforcement actions against me; and
- TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.

Signature



Name (Printed or typed)

Authorized representative of
Ya Razzak, Inc. dba Fast Trak

Date

3-25-08

Title

Pres.